

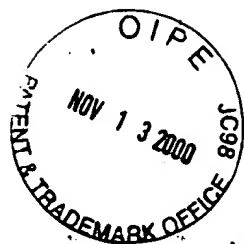
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NOV 17 2000

PATENT/Docket No.: 6011.N DV2

## DECLARATION (37 CFR §1.63) AND POWER OF ATTORNEY

FBI CENTER 1600/2900



As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Phenyloxazolidinones Having a C-C Bond to 4-8 Membered Heterocyclic Rings**, Docket No. 6011.N DV2, the specification of which

- ☐ is attached hereto.
- ☒ was filed on August 24, 1998, as Application Serial No. 09/138,209 and was amended on .
- ☐ was filed on as PCT International Application No. PCT/US and was amended under PCT Article 19 on , if applicable.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR §1.56(a).

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below:

<u>Application</u> <u>Serial No.</u>	<u>Filing Date</u> <u>(Day/Month/Year)</u>
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60/003,149	September 1, 1995
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I hereby claim foreign priority benefits under 35 USC §119(a)-(d), or §365(b), of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed:

<u>Application</u> <u>Serial No.</u>	<u>Country</u>	<u>Filing Date</u> <u>(Day/Month/Year)</u>	<u>Priority Claimed</u> <u>(Yes/No)</u>
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PATENT/Docket No.: 6011.N DV2

I hereby claim the benefit under 35 USC §120, of any United States application(s) or PCT International Application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status (Patented, Pending, Abandoned)</u>
08/696,313	August 13, 1996	Patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Petition to Change Inventorship:** The inventorship as set forth in the original executed oath or declaration is in error. Such error occurred without any deceptive intent on the part of the persons being added as inventors.

I hereby appoint Carl W. Battle (Registration No. 30,731), James D. Darnley, Jr. (Registration No. 33,673), Bruce Stein (Registration No. 27,231), Thomas A. Wootton (Registration No. 35,004), Lucy X. Yang (Registration No. 40,259), Andrew M. Solomon (Registration No. 32,175), Edward F. Rehberg (Registration No. 34,703), Ellen Park (Registration No. 34,055), Bruce A. Pokras (Registration No. 32,748), and John H. Engelmann (Registration No. 28,075), all registered to practice before the Patent and Trademark Office as my attorneys or agents with full power of substitution and revocation to prosecute this application and all divisions and continuations thereof and to transact all business in the Patent and Trademark Office connected therewith and request that all correspondence and telephone communications be directed to the following person(s) at the mailing address and telephone number hereafter given:

Name	:	Lucy X. Yang
Registration No.	:	40,259
Address	:	Global Intellectual Property Pharmacia & Upjohn Company Kalamazoo, Michigan 49001
Telephone No.	:	(616) 833-9536 or (616) 833-9500
Telefax No.	:	(616) 833-8897 or (616) 833-2316

PATENT/Docket No.: 6011.N DV2

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Full name of sole or first inventor: Toni-Jo Poel  
Residence: Wayland, Michigan      Citizenship: US  
Post Office Address: 304 Anderson, Wayland, Michigan 49348

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Full name of second joint inventor: Douglas K. Hutchinson  
Residence: Antioch, Illinois      Citizenship: US  
Post Office Address: 160 East Depot Street, Antioch, Illinois 60002-1863

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Full name of third joint inventor: Richard C. Thomas  
Residence: Kalamazoo, Michigan      Citizenship: US  
Post Office Address: 2166 Wild Cherry Lane, Kalamazoo, Michigan 49009

Inventor's Signature  Date 11/02/00

Full name of fourth joint inventor: Steven J. Brickner  
Residence: Ledyard, Connecticut      Citizenship: US  
Post Office Address: 9 Fargo Drive, Ledyard, Connecticut 06339

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Full name of fifth joint inventor: Michael R. Barbachyn  
Residence: Kalamazoo, Michigan      Citizenship: US  
Post Office Address: 2900 Redbud Trail, Kalamazoo, Michigan 49009



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<u>Application</u> <u>Serial No.</u>	<u>Country</u>	<u>Filing Date</u> <u>(Day/Month/Year)</u>	<u>Priority Claimed</u> <u>(Yes/No)</u>
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<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status (Patented, Pending, Abandoned)</u>
08/696,313	August 13, 1996	Patented

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Telefax No.	:	(616) 833-8897 or (616) 833-2316

PATENT/Docket No.: 6011.N DV2

Inventor's Signature

Toni-Jo Poel Date 4 Nov 2000

Full name of sole or first inventor: Toni-Jo Poel

Residence: Wayland, Michigan

Citizenship: US

Post Office Address: 304 Anderson, Wayland, Michigan 49348

Inventor's Signature

Douglas K. Hutchinson Date 3 NOVEMBER 2000

Full name of second joint inventor: Douglas K. Hutchinson

Residence: Antioch, Illinois

Citizenship: US

Post Office Address: 160 East Depot Street, Antioch, Illinois 60002-1863

Inventor's Signature

Richard C. Thomas Date 11/6/00

Full name of third joint inventor: Richard C. Thomas

Residence: Kalamazoo, Michigan

Citizenship: US

Post Office Address: 2166 Wild Cherry Lane, Kalamazoo, Michigan 49009

Inventor's Signature

Date

Full name of fourth joint inventor: Steven J. Brickner

Residence: Ledyard, Connecticut

Citizenship: US

Post Office Address: 9 Fargo Drive, Ledyard, Connecticut 06339

Inventor's Signature

Michael R. Barbachyn Date 11/6/00

Full name of fifth joint inventor: Michael R. Barbachyn

Residence: Kalamazoo, Michigan

Citizenship: US

Post Office Address: 2900 Redbud Trail, Kalamazoo, Michigan 49009



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Art Unit : 1624  
Examiner : B. Coleman  
Applicant(s) : Toni-Jo Poel, Douglas K. Hutchinson, Richard C. Thomas, Steven J. Brickner, Michael R. Barbachyn  
Serial No. : 09/138,209  
Filed : August 24, 1998  
For : Phenyloxazolidinones Having a C-C Bond to 4-8 Membered heterocyclic Rings

Commissioner of Patents and Trademarks  
Washington, DC 20231

ASSENT OF ASSIGNEE TO CORRECTION AND/OR  
ADDITION OF INVENTOR(S)

Pharmacia & Upjohn Company

(type or print name of assignee)

301 Henrietta Street, Kalamazoo, Michigan 49007

Address

Assignment

☒ recorded on 6/1/00  
Reel 010668  
Frame 0442

☐ recorded herewith

☐ A separate ☐ "ASSIGNMENT" (DOCUMENT) COVER SHEET is attached.

or

☐ FORM PTO 1595 is attached

Assignee hereby assents to the correction of Inventorship filed

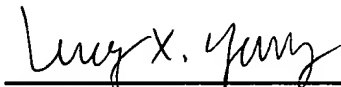
☒ herewith.

☐ on \_\_\_\_\_.

**ASSIGNEE STATEMENT TO CORRECTION  
OF INVENTORSHIP ENTITY**

Dear Sir:

Pharmacia & Upjohn Company, the Assignee of the entire interest in the above identified Patent as evidenced by the records in the United States Patent and Trademark Office, hereby assents to the Correction of the Inventorship entity to include Steven J. Brickner and Michael R. Barbachyn, as the proper joint inventors in the above identified Patent.

  
\_\_\_\_\_  
Signature

**Lucy X. Yang, Attorney**  
(type or print name and title of person  
authorized to sign on behalf of assignee)